

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HAROLD E. MONTAGUE,

Case No.: 3:17-cv-00648-RCJ-WGC

Petitioner,

Order

v.

MS. BAKER, et al.,

Respondents.

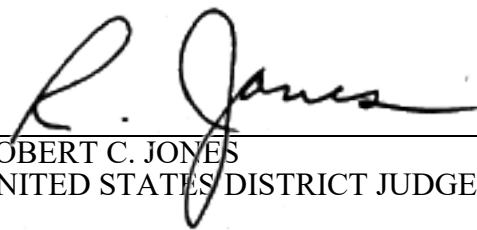
This closed habeas matter is before this Court on Petitioner Harold E. Montague's motion for the appointment of counsel. (ECF No. 61.)

This court denied Montague's habeas corpus petition, including denying a certificate of appealability, on September 7, 2021, and judgment was entered. (ECF Nos. 47, 48.) Montague appealed, and the Ninth Circuit Court of Appeals denied a certificate of appealability on March 2, 2022. (ECF Nos. 49, 51.) On May 12, 2022, this Court denied as moot Montague's motion "for extension of time for C.O.A. & motion for counsel," motion for the appointment of counsel, and motion for a certificate of appealability. (ECF No. 57.) Montague has again moved for the appointment of counsel, attaching a state court petition for writ of habeas corpus. (ECF No. 61.) Based on the caption of Montague's instant motion, it appears that he meant to file the instant motion and attached petition in the Eighth Judicial District Court of the State of Nevada. (*See id.*) Alternatively, this Court has already denied Montague's motion for appointment of counsel in this closed case, and Montague fails to argue why that decision should be reconsidered.¹

¹ This Court notes that it appears that the Ninth Circuit Court of Appeals is currently considering Montague's application for permission to file a second or successive habeas petition in this court. (*See* ECF No. 60.)

1 IT IS THEREFORE ORDERED that the motion for appointment of counsel (ECF No. 61)
2 is DENIED.

3 Dated: August 9, 2022.

4 
5 ROBERT C. JONES
6 UNITED STATES DISTRICT JUDGE
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23